

Application No. 09/156,276
Amendment dated January 21, 2004
Reply to Office Action of September 24, 2003

REMARKS

The Examiner has rejected claim 21 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Claim 1 is rejected under 35 U.S.C. §102(e) as being anticipated by Ham et al. U.S. Patent No. 5,456,667. Claim 7 is allowed and claim 21 is objected to, but would be allowed if rewritten or amended to overcome the rejection under §112.

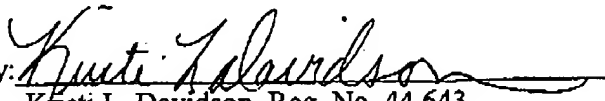
Applicants would like to thank the Examiner, Cris L. Rodriguez, for the telephone interview that occurred on January 21, 2004 between Applicants' representative, Kristi L. Davidson, and the Examiner. During that interview, Applicants' representative and the Examiner agreed that an amendment to claim 21 changing the phrase "open passage absent structure" to "open passage that has no structure" would overcome the rejection of claim 21 under § 112, second paragraph. Applicants' representative and the Examiner also agreed that upon such amendment, claims 7 and 21 are allowable. Thus, the amendment herein further cancels claim 1 and rewrites claim 21 as an independent claim including the limitations of base claim 1. The Examiner agreed that upon receipt of this amendment, a Notice of Allowance will be issued. Thus, there being no further outstanding issues, Applicants look forward to receiving the Notice of Allowance in due course.

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Applicants are of the opinion that no additional fee is due as a result of this amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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